

MEETING OF THE DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION

A meeting of the Delaware Agricultural Lands Preservation Foundation was held at the Delaware Department of Agriculture, 2320 S. DuPont Hwy Dover, Delaware, on May 17, 2017 **with the following members in attendance:**

- Chairman Robert Garey
- Bill Vanderwende
- Secretary Michael Scuse
- Ms. Janice Truitt
- Kevin Coyle
- Ken Simpler
- Allen Messick
- Chip Narvel

Absent:

- Ted Bobola
- Robert Emerson
- Peter Martin

The following staff members were in attendance:

- Austin Short, Deputy Secretary of Agriculture
- Milton Melendez
- Scott Blaier
- Jimmy Kroon
- Howard Mesick
- Kathi Spangler
- Rebecca Vaughn

Others in attendance:

- Mike Parkowski, Parkowski, Guerke & Swayze
- Ralph Truitt, Delaware African American Farmers Association
- Andrew Manus, Clayton, DE

Chairman Garey opened the meeting at 8:30 AM.

I. Preservation Districts:

A. Current Situation Report:

Scott Blaier informed the Board there are currently 1,143 approved and pending districts &

expansions in the program encompassing 174,322 acres after deducting terminations. There is one easement pending settlement from Round 20; once these are completed there will be 824 Agricultural Easements encompassing 118,457 acres at a cost of \$211,253,425. Staff has received nine new applications thus far in 2017, totaling 1,011 acres. The preserved lands for Farmland and Forestland Preservation (once Round 20 Easements settle) will total 835 easements encompassing 119,385 acres with an acquisition cost of approximately \$213 million. Austin Short added that one Round 20 easement totaling approximately 11.5 acres will not settle due to mortgage issues thus the total number of easements was reduced from 825 to 824.

B. Young Farmers Report

Austin Short advised the Board that four of the five Young Farmer loans from Round 6 have settled. The remaining loan (Cory Smith) is delayed due to difficulty getting a clear title from the seller – once that issue is resolved then it can proceed to settlement.

C. District Eligibility & Final Approval

1. **Walter Davis District (S-17-04-285) (Contingent)** After discussion and examination of the Application Report, **Chip Narvel moved to accept for District Eligibility & Final Approval the Walter Davis District, seconded by Kevin Coyle. Motion unanimously approved.** Ken Simpler asked how wetlands on this property figured into the LESA score. Austin advised that the LESA score consists only of the forestland and cropland. He added that this district has been approved by Sussex County Planning & Zoning.

D. Expansion Eligibility & Final Approval

1. **Chelsea - Sydney Expansion of the J.E.M Acres District (K-16-11-173A)** After discussion and examination of the Application Report, **Ms. Janice Truitt moved to accept for Final Approval the Chelsea - Sydney Expansion of the J.E.M. Acres District, seconded by Bill Vanderwende. Motion unanimously approved.**
2. **Bender Farms #1 Expansion of the Howard R. Young & Sons, Inc. District (S-16-12-189F)** After discussion and examination of the Application Report, **Kevin Coyle moved to accept for Final Approval the Bender Farms #1 Expansion of the Howard R. Young & Sons, Inc. District, seconded by Chip Narvel. Motion unanimously approved.**
3. **Bender Farms #2 Expansion of the Beaver Creek Farms District (S-16-12-093M)** After discussion and examination of the Application Report, **Bill Vanderwende moved to accept for Final Approval the Bender Farms #2 Expansion of the Beaver Creek Farms District, seconded by Allen Messick. Motion unanimously approved.**
4. **Bender Farms #3 Expansion of the Beaver Creek Farms District (S-16-12-093N)** After

discussion and examination of the Application Report, **Chip Narvel moved to accept for Final Approval the Bender Farms #3 Expansion of the Beaver Creek Farms District, seconded by Ms. Janice Truitt. Motion unanimously approved.**

II. Secretary of Agriculture's Veto:

The Secretary of Agriculture, Michael Scuse, waived the right of veto for the above Districts & Expansions.

III. Opportunity for Public Comments:

Mr. Andy Manus of Clayton, DE advised that he spoke before this board at the December 14, 2016 regarding the extinguishment of an easement in Clayton, DE and wanted to appear before the Foundation today to personally thank them for taking his concerns seriously and following through to prevent this from happening again. He stated that he has been working on this issue for over 15 months with the sometimes unresponsive U.S. Army Corps of Engineers, DelDOT and DRBA. He complimented the Foundation and the Delaware Department of Agriculture as a model of local government, transparency and efficiency in dealing with public requests. Mr. Manus complimented the staff, particularly Milton Melendez, Scott Blaier and Austin Short, on their effort and responsiveness. He thanked Secretary Scuse for his efficiency in producing a Memorandum of Agreement with DelDOT regarding avoiding the use of farms in Aglands Preservation for wetland mitigation. Chairman Garey thanked Mr. Manus for appearing before the board today.

IV. Minutes:

Chairman Garey asked if there were any comments or changes to the April 19, 2017 meeting minutes that were mailed to Board Members prior to today's meeting. Hearing no changes, the Chairman asked for a motion to approve the April 19th meeting minutes. **Bill Vanderwende moved to approve the April 19, 2017 minutes as presented, seconded by Chip Narvel. Motion unanimously approved.**

V. Financial Highlights:

The **April 30, 2017** Financial Statements were presented by Howard Mesick, who reported that Funds Held by the State were \$86,640.40, and funds in the State Interest Bearing Account were \$248,097.82 for a total of \$334,738.22. Monthly Income of \$724.87 included Interest Income of \$234.87 and Plates Income of \$490.00. Total Expense for April was \$19,028.64; Net Ordinary Income for the month of April was -\$18,303.77. The Net Income for the year was

-\$40,502.67. Mr. Mesick reminded the board that the negative balance did not mean the Foundation was out of money, but that the FY'17 expenses were greater than had initially been budgeted for, necessitating the use of prior year savings. **Kevin Coyle moved to accept the April 30, 2017, 2017 Financial Statements as presented, seconded by Ken Simpler. Motion unanimously approved.**

Secretary Scuse excused himself from the meeting as he had another commitment to attend to.

VI. Executive Session

Foundation Attorney Mike Parkowski advised that an Executive Session was needed to discuss and review confidential appraisal and donation matters for the Round 21 Easement Selections. **Chip Narvel made a motion to go into Executive Session, seconded by Allen Messick. Motion unanimously approved.** Executive Session started at 8:45 A.M.

The Executive Session ended at 9:25 A. M. **Allen Messick made a motion to come out of Executive Session, seconded by Chip Narvel. Motion unanimously approved. Allen Messick made a motion to approve the May 2017 Executive Session minutes, seconded by Kevin Coyle. Motion unanimously approved.**


VII. Round 21 Easement Selections

Ken Simpler moved to approve the purchase of development rights of 34 farms for the Round 21 Easement Selections, as recommended by staff, seconded by Ms. Janice Truitt. Motion unanimously approved. (Foundation member Bill Vanderwende abstained from the vote as his son's property was among those that submitted a bid). The list of approved easement purchases are attached to the minutes.

VIII. Adjournment

As there was no further business to come before the Foundation Board, the meeting adjourned at 9:29 a.m. The next meeting of the Foundation is **Wednesday June 21, 2017**, at the Delaware Department of Agriculture beginning at 8:30 a.m.

Respectfully submitted,


Robert Garey
Chairman

2017 Selections

DALPF Round 21

	Project ID	Owner	Acres	Estimated Easement Cost*
1	K-14-12-088H	Abbott, Diana ^{2,3}	41	\$57,619
2	K-14-11-025J	Alexander, Edwin & Brenda ²	48	\$58,219
3	K-14-12-278-2	Ayaan Farm, LLC ²	76	\$85,682
4	K-05-10-026H	Benchoff, Mary & Paul Steven	71	\$57,341
5	S-13-03-028S	Deputy Fitzgerald Teatown Road, LLC & Lincoln Farms, LLC	179	\$178,659
6	N-13-09-220D	Domino, Anthony Jr.	36	\$131,248
7	K-14-05-257A	Dutchneck Farm Services ³	25	\$60,197
8	K-13-03-205R	Fry Farms, Inc. ^{2,4}	32	\$42,181
9	S-13-03-205R	Fry Farms, Inc. ⁴	72	\$103,196
10	S-13-10-015D	Givens, Scot	18	\$33,712
11	S-13-11-015E	Givens, Scot & Caitlin	25	\$30,874
12	S-15-11-135B	Godwin, Philip David	39	\$82,529
13	S-14-12-021I	Gondal Farm, LLC	76	\$90,298
14	S-14-04-150P	J & D Vanderwende & Sons, Farms, LLC ^{3,4}	77	\$156,079
15	S-13-09-022C	James, Alden Trustee ⁴	87	\$139,245
16	K-14-12-278-1	Karianwala Farm, LLC ²	24	\$30,830
17	K-15-11-093L	Kielbasa Farm, Inc. ²	167	\$156,741
18	S-14-06-277	Kirk, Willis & Joan ⁴	319	\$328,351
19	N-15-10-100C	Kozlowski, Renee & Edward	23	\$44,785
20	S-14-03-221K	Layton, William Parker ⁴	101	\$132,807
21	K-11-11-262	MAFSH, LLC ⁴	317	\$346,508
22	K-14-12-279	Moor, Alfred Jr & Barbara ⁴	197	\$257,974
23	K-12-12-205Q	Moore, Charles & Catherine ^{2,3}	108	\$128,523
24	K-14-10-014H	Osterhout, Kathy & Karen Kennedy ^{3,4}	66	\$169,877
25	K-15-09-025K	Palmer, Daniel & Sandra ²	64	\$66,841
26	K-15-09-137F	Palmer, Daniel & Sandra ²	35	\$34,758
27	N-15-12-012G	Philipp, Kim & Agnes Leon ^{1,4}	190	\$388,778
28	K-12-03-067Q	Robinson, Margaret & Franklin ⁴	92	\$111,202
29	K-15-12-043H	Silver Acres, LLC ^{3,4}	94	\$130,219
30	S-14-12-052M	Spudis, Michael	41	\$60,292
31	S-96-02-061-1	Tarr, Donna & Norman Jr, Trustees	103	\$117,752
32	K-96-12-093B-1	Trivits, Charles & Christine, Trustees ²	9	\$5,472
33	S-15-09-221L	Walls, Christopher & Jessica B. ³	13	\$30,796
34	K-14-12-257C	Wilson, Mark ⁴	174	\$330,158

Total Acreage Rd 21	Total Payments Rd 21
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3,039	\$ 4,179,741
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74% Average Discount**

* Actual easements costs will be based on surveyed acreage.

** Average discount is for all easement purchases including easements selected by the counties and with federal funding.

¹ New Castle County is providing partial funding for one easement.

² Kent County is providing partial funding for selected easements.

³ Priority Zone properties are within 1/2 mile, but not inside of, county designated growth zones.

⁴ USDA-NRCS is providing matching funds for selected easements through the Agricultural Conservation Easement Program.

Delaware

AGRICULTURAL LAND PRESERVATION

ROUND 21 SELECTIONS

MAY 17, 2017



SELECTED FARMS

MAP NUM	OWNER	PROJECT ID	ACRES	ESTIMATED EASEMENT COST	PRIORITY ZONE	EXTERNAL FUNDING: USDA NRCS	COUNTY
1	Albani, Diana	K-14-12-08BH	40.7	\$57,619			Kent
2	Alexander, Edwin & Brenda	K-14-11-0251	48.5	\$58,219			Kent
3	Ayan Farm, LLC	K-14-12-278-2	75.6	\$85,682			Kent
4	Bentchoff, Mary & Paul Steven	K-05-10-026H	71.4	\$57,341			
5	Deputy Filigerald Teatown Road, LLC & Lincoln Farms, LLC	S-13-03-0285	179.0	\$178,659			
6	Doming, Anthony Jr.	N-13-09-220D	36.3	\$131,248			
7	Dutchneck Farm Services	K-14-05-257A	25.2	\$60,197			
8	Fry Farms, Inc.	K-13-03-205R	31.8	\$42,181			Kent
9	Fry Farms, Inc.	S-13-03-205R	72.3	\$103,196			
10	Givens, Scot	S-13-10-015D	18.1	\$33,712			
11	Givens, Scot & Caitlin	S-13-11-015C	25.0	\$30,874			
12	Godwin, Philip David	S-15-11-135B	38.9	\$82,529			
13	Gondal Farm, LLC	S-14-12-0231	75.8	\$90,298			
14	I & D Vanderwende & Sons, Farms, LLC	S-14-04-150P	77.1	\$156,079			
15	James, Alden, Trustee	S-13-09-022C	87.0	\$139,245			
16	Karlanswala Farm, LLC	K-14-12-278-1	23.9	\$30,830			Kent
17	Klebasa Farm, Inc.	K-15-11-093L	166.6	\$156,741			Kent
18	Kirk, Wilfrid & Joan	S-14-06-217	119.0	\$38,351			
19	Kolowski, Renee & Edward	N-15-10-100C	22.9	\$44,785			
20	Layton, William Parker	S-14-03-221K	101.1	\$132,807			
21	MAFSH, LLC	K-11-11-762	117.5	\$346,508			
22	Moor, Alfred Jr & Barbara	K-14-12-279	196.7	\$257,974			
23	Moore, Charles & Catherine	K-12-12-205Q	108.4	\$178,523			Kent
24	Osterhout, Kathy & Karen Kennedy	K-14-10-014H	66.5	\$169,877			
25	Palmer, Daniel & Sandra	K-15-09-025K	64.3	\$66,841			Kent
26	Palmer, Daniel & Sandra	K-15-09-137P	34.6	\$34,758			Kent
27	Phillips, Kim & Agnes Eagon	N-15-12-012G	189.6	\$388,779			NCC
28	Robinson, Margaret & Franklin	K-12-01-067Q	32.1	\$31,202			
29	Silver Acres, LLC	K-15-12-043H	93.9	\$130,219			
30	Spudis, Michael	S-14-12-052M	43.3	\$60,292			
31	Tarr, Donna & Norman Jr, Trustees	S-06-02-061-1	102.9	\$117,752			
32	Trotts, Charles & Christine, Trustees	K-96-12-093B-1	9.0	\$5,472			Kent
33	Walls, Christopher & Jessica B	S-15-09-221L	12.7	\$30,795			
34	Whelan, Maria	K-14-12-257C	173.7	\$180,158			
ROUND 21 TOTAL			3018.8	\$4,129,741			

Average Discount: 74%

* Average discount is for all easement purchases including those selected by the counties or with federal funding

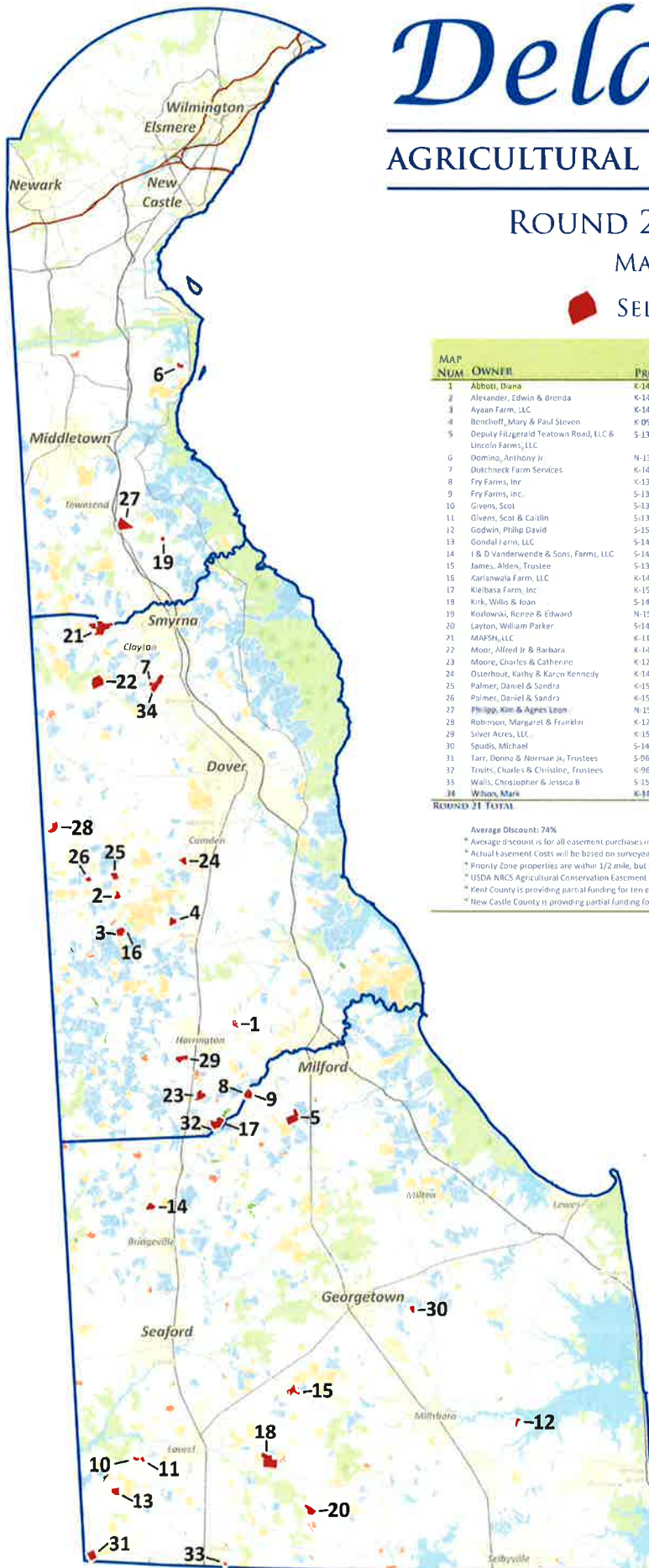
* Actual Easement Costs will be based on surveyed acreage

* Priority Zone properties are within 1/2 mile, but not inside of, county designated growth zones

* USDA NRCS Agricultural Conservation Easement Program is providing partial funding for thirteen easements

* Kent County is providing partial funding for ten easements

* New Castle County is providing partial funding for one easement



AGRICULTURAL LAND PRESERVATION

- Agricultural Easement
- Agricultural District or Expansion
- Forestland Preservation Easement
- Forestland Preservation Area
- Young Farmers Loan Program Easements

- Public Protected Lands
- Municipal Boundaries



0 5 10 Miles